

Arkansas State Board of Nursing



What if an Applicant Marks
“Yes” to a Screening
Question

Last Revision: April 4, 2016



Information in this presentation is intended for the purpose of providing training for program directors and faculty that teach in Arkansas nursing programs.

This presentation is not intended for distribution to students, applicants or graduates but information may be used in your discussion and training.

What if an Applicant Marks “Yes” to Screening Questions?



On the Arkansas State Board of Nursing Application, there are a series of questions that the applicant must answer.

Applicants are encouraged to respond honestly.

Screen shot follows



Arkansas State Board of Nursing

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Need Help? Request assistance online or Call 1-877-727-EGOV

Please answer all of the following questions.

Personal History

Have you ever been convicted of a misdemeanor or felony or pled guilty or nolo contendere to any charge in any state or jurisdiction? DWIs and similar offenses must be reported. (Traffic violations do not constitute a crime.)

☐ No ☐ Yes

Have you ever had any license, certificate, or registration disciplined (revoked, suspended, placed on probation or reprimanded) or voluntarily surrendered in any state or jurisdiction?

☐ No ☐ Yes

Are you currently under investigation in any state or jurisdiction?

☐ No ☐ Yes

Do you currently engage in drug-related behavior, including the use of mood-altering drugs/substances and or alcohol that would affect your functional abilities to perform while working as a nurse?

☐ No ☐ Yes

In the past two years, have you been the subject of a chemical or alcohol dependency intervention or participated in chemical or alcohol dependency treatment/rehabilitation? (If yes, submit all relevant documents, such as rehab program completion, support group meetings, drug screens, etc.)

☐ No ☐ Yes

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The applicant should respond honestly to all questions.

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In the past two years, have you been the subject of a chemical or alcohol dependency intervention or participated in chemical or alcohol dependency treatment/rehabilitation? (If yes, submit all relevant documents, such as rehab program completion, support group meetings, drug screens, etc.)

☐ No ☐ Yes

The applicant receives additional information if the response is “yes” to any of the screening questions.

You answered “YES” to one or more of the above questions. You must submit a letter of explanation and a certified copy (no faxed copies) of all pertinent records (court, military, treatment, other boards of nursing, etc.). Send to Arkansas State Board of Nursing, Attn: Education Department 1123 S. University Ave., Suite 800, Little Rock, AR 72204

Eligibility to test, licenses, certifications, and temporary permits will not be issued until all documents are received in the Board office and reviewed by staff. If additional information is needed, you will be contacted.

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What if an Applicant Marks “Yes” to Screening Questions?



- ❧ In the event applicant marks “yes” to respective screening question(s) and/ **OR** has a positive result on either of the criminal background check(s), they are required to submit documentation to the ASBN.
- ❧ If answer “yes” to respective screening question(s) and/ or have a positive result on either of the criminal background check(s) and do not provide the required documents, application will not be considered by the ASBN until provide the required documents.
- ❧ Mail documentation before or as soon as an application has been submitted

What if an Applicant Marks “Yes” to Screening Questions?



- ❧ Additional documentation may be required on a case – by – case basis.
- ❧ Failure to submit a complete application, correct application fee(s), and required documents will delay review of licensure application.
- ❧ A formal Board hearing may be required depending on the nature of offense(s); such offenses are identified in the ASBN *Rules* in Arkansas Code, Act 1208 of 1999 Legislative Session-ACA 17-87-312.

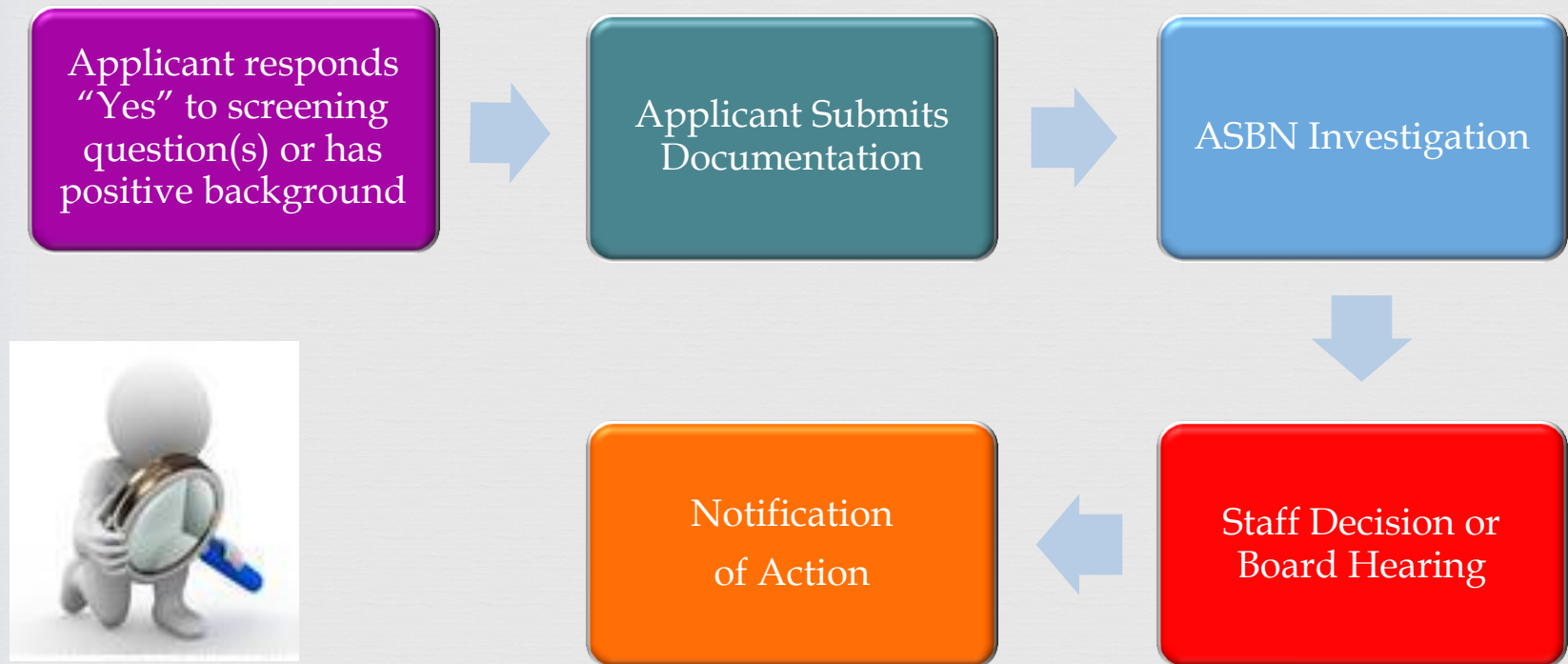
What if an Applicant Marks “Yes” to Screening Questions?



Applications are reviewed and investigative cases are opened in the order that they are received. Applicant should read the Information online carefully and provide all required documentation.

The basic investigation process algorithm follows

Investigation Process



An investigative case will not be complete for final review and action until all required documentation is received.

Criminal Background Checks: Notes to Remember



- ❖ Applicant will **NOT** receive a temporary permit or be deemed eligible to test (examination applicant) until closure of investigation and final action.



What Documentation Should be Submitted?



Applicants are able to access and read the additional information regarding documentation that should be submitted to ASBN.

Location

Criminal Background Frequently Asked Questions and Criminal Background Check information documents are located on the ASBN website at www.arsn.org.

Click on the Licensing Tab.

Click on the document link in the left column.

Criminal Background Checks: Documentation



Required to submit documentation to ASBN if respond “yes” to respective screening question(s), and/ **OR** if notified that have a positive criminal background check report(s) or as directed by the ASBN.

The required documentation shall be submitted to the ASBN address as identified on our website,

Attention: Education Department

Use Cover Page
Screen shot follows





Applicant is able to print from within the online application system AND they are able to print the form from the notification email they will receive after application submission.

**ONLINE APPLICATION
ADDITIONAL DOCUMENTS COVER PAGE**

DIRECTIONS: This cover sheet should be completed by individuals that are submitting a licensure or endorsement application to Arkansas State Board of Nursing (ASBN) **Education Department** and are required to submit additional documentation for review. Please print legibly and complete this cover sheet in its entirety. To ensure proper routing of court documents and/or related personal documents that you submit to the **ASBN Education Department** for review, this cover page must be attached to the documentation that you or another agency submits.

For additional information please refer to the Frequently Asked Questions and CBC information located on the ASBN website at www.arsbn.org. Click on the Licensing tab.

Name _____

Name on Court Docs. _____

Date of Birth _____

Social Security Number _____

Cover Page for submission of Criminal
Background Documentation

Type of Application Submitted (check all that apply):

☐ APN (CRNA, ANP, CNS, CNM)

☐ Exam (RN, LPN, LPN Equivalency)

☐ Retired Nurse (APN, RN, LPN, LPTN)

☐ Endorsement (RN, LPN, LPTN)

☐ Prescriptive Authority

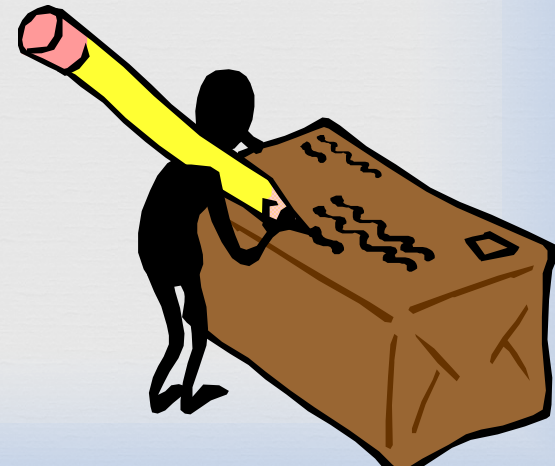
☐ Other: _____

Documents included with this cover page:

Criminal Background Checks: Personal Documentation



- ❖ Attach personal, letter of explanation to application.
- ❖ Discuss rehabilitative efforts since offense(s).
- ❖ Identify timeline of offense(s) and describe each.
- ❖ Legible; handwritten or typed.
- ❖ Specific information related to the offense(s), behavior(s) that led to offense(s), and conduct since.
- ❖ Sign and date.

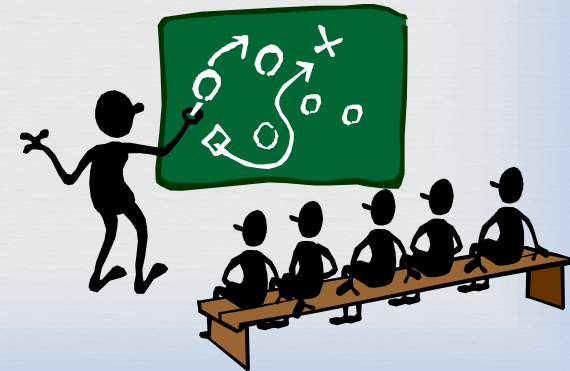


Criminal Background Checks: Court Documentation



❖ Contact the court in county where each offense(s) occurred;
certified copy of each offenses:

- Charge(s)/ conviction(s);
- Disposition of charge(s): order, judgment, fine(s), community service, probation, sentence, or deferred orders;
- Evidence that conditions of court / restitution has been met.



Criminal Background Checks: Rehabilitative Documentation



- ❖ Responded “yes” to questions regarding current drug related behavior or participation in a chemical or alcohol dependency treatment/rehabilitation program.

Documentation should include:

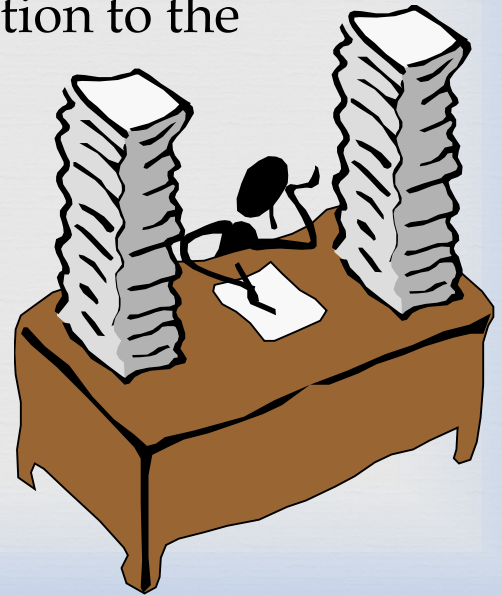
- Verification of treatment for substance abuse;
- Rehabilitative program completion;
- Drug screens;
- Admission summary;
- Discharge summary;
- Recommendations;
- Verification of compliance with aftercare recommendations; and
- Evidence of continuing sobriety/- support group etc



Criminal Background Checks: Board Documentation



- ❖ Responded “yes” to question regarding discipline or voluntarily surrender of license, certificate or privilege to practice in any state or jurisdiction or if it is determined discipline in another state or jurisdiction.
- ❖ Respective Board of Nursing submit documentation to the ASBN:
- ❖ Documentation should include:
 - Copy of Facts and Finding;
 - Evidence of completion Board stipulations; and
 - Evidence of reinstatement of license.



Criminal Background Checks: Important Documentation Notes



- ❖ ASBN may require an addictive behavioral evaluation completed based on the nature of response(s) and /or the nature of offense(s).
- ❖ If ASBN requires an addictive behavioral evaluation, applicant is notified of requirement.
- ❖ Evaluation can be completed by one of the healthcare providers on a list provided, but must be completed by an evaluator with required credentials and according to approved criteria.
- ❖ Evaluation must be, in history and physical format, and include the reason for the evaluation, a diagnosis, and recommendations for treatment.
- ❖ Evaluation must note that evaluator has read the ABSN letter sent to applicant.
- ❖ Applicant should not have evaluation conducted before being notified of the requirement by ASBN.

Criminal Background Checks: Important Notes



- ❖ In the event that any offenses are identified as a bar for licensure, the statute number must be included on the court document or submitted to ASBN from the court. Applicant may need to specifically request that the statute number is reflected on court documentation.
- ❖ The name(s) on documents should match the name(s) on application. If the name(s) on court document(s) are different from the name(s) listed on the ASBN Application, applicant will be required to provide documentation that validates the name(s) on the court document(s).

Criminal Background Checks: Important Notes



- ❖ If a case number(s) on court documentation does not reflect the actual name of the respective offense(s), applicant will be required obtain documentation that will reflect the association of the case number to the offense.
- ❖ In the event offense(s) have been officially sealed or expunged, applicant must have the court submit the order of expungement documentation to ASBN for review. Must mark “yes” on the ASBN application screening question regarding a prior conviction.

Criminal Background Checks: Important Notes



- ❖ In the event offense(s) occurred as a juvenile, applicant should contact the juvenile division of the court in the county where the offense(s) occurred to obtain a letter regarding the status of offense(s).
- ❖ If court records have been purged or destroyed, applicant should request that the court submit a letter to the ASBN that reflects that a records search was conducted for identified timeframe and the outcome.
- ❖ All criminal convictions, deferred orders, dismissed orders, suspended imposition of sentence orders, and/ or adjudication orders must be reported to the board; including those from another state or jurisdiction.

What Does the School Need to do Regarding Court Documentation?



The school is not required to submit any documentation on behalf of the applicant as it is the applicant responsibility to do so; however please have the student read the documents identified and guide the applicant as they ask questions.

(Specific applicant documentation may be required at a later date if ASBN issues a subpoena)

Location of Documents for Applicant Review

Criminal Background Frequently Asked Questions and Criminal Background Check information documents are located on the ASBN website at www.arsn.org.

Click on the Licensing Tab.

Click on the document link in the left column.

Training Modules that are available



Training Modules are available on the ASBN website at
www.arsbn.org.

Click on Education/ Program Director and Faculty
Information.



Training Modules that are available continued...



Modules that are available

- Criminal Background Checks
- Online Application for Licensure/Certification Training
- Program Director Verification
- State Licensure Process: Most Common Mistakes that Delay Processing
- What if an Applicant Marks “Yes” to a Screening Question